Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 919-09679-0245-145 | Date: 07/10/2019 | Time: 2217

Location: [redacted] Tanager Avenue | City or Station: Commerce

Bureau/Station/Facility: CPD/ELA Station | Admin. Investigation: ○ YES ◉ NO

Type of Force: Control Hold / Taser

Incident Category: ○ 1 ○ 2 ◉ 3 | Deputy Injury: ◉ YES ○ NO | Suspect Injury ◉ YES ○ NO

☐ Call ☒ Observation ☐ Detail | ☐ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: ◉ YES ○ NO | Person Notified: Lt. Granek | Emp: [redacted] | IAB Roll Out ◉ YES ○ NO

Involved Employee

E 1

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Rodriguez	Michael	V.	DSG

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	H	506	155	[redacted]	◉ EM ○ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: East Los Angeles Station | Work Assignment (Unit #, Module, etc.): 27T1

Individual Force Used: Control Hold / Taser | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ◉ 3

☒ Injured ☐ Treated ☐ Admitted Facility: Declined Treatment | Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex	Race	Height	Weight	Age	Shift	
○ M ○ F					○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Individual Force Used: | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex	Race	Height	Weight	Age	Shift	
○ M ○ F					○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Individual Force Used: | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

On Duty Supervisor ☐ Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Alvarado	Frank		Sgt.	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Bergo	Chris	K.	Sgt.	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Walker II	Deryl	T.	Lt.

Watch Commander / Supervising Lieutenant's **Signature:** [signature] Date: 01/29/20 Copy Provided to Employee by: Emp #:

Unit Commander **(Print Name)** Unit Commander's **Signature:** Emp #: Date

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

919 - 09679 - 0245 - 145

Suspect Information

S 1

Last Name: Muro | First Name: Paul | Middle Name: Christopher | Armed? Select: Not Armed

AKA Last Name: | First Name: | Middle Name:

Sex: (•) Male ( ) Female | Race: H | Age: 42 | Height: 6'01" | Weight: 170 | D.O.B: 04/28/77 | Phone #1: ( ) H ( ) W ( ) C [redacted] | Phone #2: ( ) H ( ) W ( ) C [redacted]

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 5684110 | Primary Charge Code: 243(b) PC | Secondary Charge Code: 11364 HS | [redacted] Criminal History

Treated on Scene? (•) YES ( ) NO | Name: L.A. County Fire | Unit: Engine #50 | Phone #: (323) 721-7011

Hospital Admission? [ ] | Rec'd Treatment At: ELA Doctors Hospital | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: Suni Dissanayake, MD | Address: 4060 Whittier Boulevard, Los Angeles | Phone #: (323) 268-5514

Under Influence: ( ) YES (•) NO | Substance: | 5150 a factor in force? ( ) YES (•) NO User's guide provides direction on this entry

Date: 07/11/2020 | Time: 0348 | [ ] Audiotape: | [X] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

919 - 09679 - 0245 - 145

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Barrios	Christopher	J.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
East Los Angeles Station	27K1	◉ EM ○ Day ○ PM	○ Regular ◉ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		○ EM ○ Day ○ PM	○ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		○ EM ○ Day PM	○ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ **Additional Witness**

Supervisor's Report on Use of Force

9 1 9 - 0 9 6 7 9 - 0 2 4 5 - 1 4 5

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Muro	S#1	Rodriguez	E#1	PO	CP	SH
Rodriguez	E#1	Muro	S#1	CT	NN	WR
Rodriguez	E#1	Muro	S#1	TR	FR	SH

INVESTIGATIVE SUMMARY

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **Use of Force - The suspect sustained a clavicle fracture**

IAB FILE NUMBER: **FO 2491581**

URN#: **919-09679-0245-145**

DATE/ TIME: **July 10, 2019, Wednesday, 2217 Hours**

LOCATION: [redacted] **Tanager Avenue, Commerce**

On Thursday, July 11, 2019, an Internal Affairs Bureau (IAB) Force and Shooting Rollout Team, comprised of Lieutenant Minh Dinh, Sergeant Joseph Morales, and Sergeant Chris Bergo, responded to East Los Angeles Station, regarding a Category 3 Use of Force (Skeletal fracture) involving Deputy Michael Rodriguez. During the use of force, Suspect Paul Muro (hereafter referred to as Suspect Muro) sustained a fractured clavicle, after being tased and falling to the ground.

SYNOPSIS:

On July 10, 2019, Deputy Rodriguez was assigned to East Los Angeles Station, working PM shift, in a marked, one-person patrol unit, 27T1. He was wearing a Los Angeles County Sheriff's Department Class "A" uniform. At approximately 2215 hours, Deputy Rodriguez was traveling north on Tanager Avenue, Commerce, and saw a parked vehicle (2003 Saturn Ion, California license plate [redacted]) backed into the loading dock of a business at 2919 Tanager Avenue, Commerce. The business appeared closed. The security gate to the front door of the business was closed and the interior and exterior lighting was off. The only lighting illuminating the area around the business were streetlights **[Pages 3 - 4 of Deputy Rodriguez' transcribed interview].**

> **IAB Note:** The East Los Angeles Station PM shift in-service dated July 10, 2019, and his Deputy Daily Worksheet showed Deputy Rodriguez was assigned to work unit 27T1, [redacted] hours. Both documents are attached to this casebook **[Miscellaneous Documents].**

> **IAB Note:** 2919 Tanager Avenue is situated in an industrial/commercial area of Commerce. Both sides of the street are lined with commercial buildings and businesses.

Deputy Rodriguez illuminated the vehicle with the spotlight on his patrol vehicle. From his vantage point in his patrol vehicle, it appeared the vehicle was unoccupied. Based on the time of night, the vehicle being backed into the loading dock of a closed business, the open cardboard boxes, coupled with the fact the other businesses in the area were also closed, Deputy Rodriguez exited his patrol vehicle to conduct further investigation. Deputy Rodriguez planned his approach to the vehicle. There was a walkway adjacent to the loading dock, which was higher than the ramp on which the vehicle was parked, affording Deputy Rodriguez a higher vantage point to see down into the vehicle. As he walked on the walkway, he illuminated the interior of the vehicle with his flashlight **[Page 4 of Deputy Rodriguez' transcribed interview].**

When Deputy Rodriguez was within approximately ten (10) feet of the vehicle, he illuminated the interior and noticed the vehicle was occupied. Suspect Muro was the sole occupant of the vehicle. He was seated in the front passenger's seat and he had the seat fully reclined. Deputy Rodriguez approached the passenger side door of Suspect Muro's vehicle. As he approached, he saw Suspect Muro reach toward the floorboard adjacent to where he was seated. Deputy Rodriguez twice ordered Suspect Muro to place his hands on the dashboard. Suspect Muro complied with Deputy Rodriguez' second command and placed his hands on the dashboard. Deputy Rodriguez asked Suspect Muro what he was doing. Suspect Muro stated he was masturbating in his vehicle because he was unable to masturbate at home **[Page 4 of Deputy Rodriguez' transcribed interview].**

Once Deputy Rodriguez reached the passenger's side door, Suspect Muro became cooperative. Suspect Muro asked to pull his pants up. Deputy Rodriguez noticed Suspect Muro's pants were around his ankles, he was wearing bright pink fishnet stockings underneath his pants, and his t-shirt was covering his genitalia. Deputy Rodriguez maintained a visual on Suspect Muro's hands as Suspect Muro pulled up his pants. Deputy Rodriguez decided to detain Suspect Muro pending a burglary and lewd acts (masturbating) in public investigation **[Page 8 of Deputy Rodriguez' transcribed interview].**

Deputy Rodriguez opened the passenger side door and grabbed Suspect Muro's right wrist with his right hand. Deputy Rodriguez asked Suspect Muro to exit his vehicle. Suspect Muro was cooperative and exited his vehicle. As Suspect Muro exited his vehicle, Deputy Rodriguez grabbed Suspect Muro's left wrist with his left hand and placed Suspect Muro's hands behind his back. Once Suspect Muro's hands were behind his back, Deputy Rodriguez asked Suspect Muro to interlace his fingers. Suspect Muro complied and interlaced his fingers. Deputy Rodriguez grabbed Suspect Muro's interlaced fingers around the knuckle area with his left hand and maintained his grip on Suspect Muro's right wrist with his right hand **[Page 9 of Deputy Rodriguez' transcribed interview].**

Deputy Rodriguez wanted to bring Suspect Muro away from Suspect Muro's unsearched vehicle prior to conducting his investigation and searching the suspect. Deputy Rodriguez planned on escorting Suspect Muro to the front of his patrol vehicle.

Deputy Rodriguez directed Suspect Muro toward his patrol vehicle while he maintained his grip on Suspect Muro's hands and right wrist. As Deputy Rodriguez walked Suspect Muro to his patrol vehicle, Suspect Muro unexpectedly, jerked his left arm forward, and broke free from Deputy Rodriguez' grasp. Deputy Rodriguez maintained his grasp of Suspect Muro's right wrist with his right hand. Suspect Muro thrust his left arm backward toward Deputy Rodriguez, striking him. Suspect Muro struck Deputy Rodriguez in his left shoulder with his elbow. Deputy Rodriguez ordered Suspect Muro to stop fighting. Suspect Muro jerked his body back and forth, and thrust his left elbow toward Deputy Rodriguez attempting to strike him an additional two to three more times. Deputy Rodriguez repeatedly ordered Suspect Muro to stop fighting. Deputy Rodriguez believed he would be unable to regain control of Suspect Muro's left arm so he decided to disengage with Suspect Muro and he released his grasp of Suspect Muro's right wrist **[Pages 10 - 11 of Deputy Rodriguez' transcribed interview].**

As Deputy Rodriguez disengaged with Suspect Muro, he drew his Taser from his Sam Browne and fired it at Suspect Muro. Deputy Rodriguez was approximately three to five feet from Suspect Muro when he fired his Taser at him. The Taser darts struck Suspect Muro in his lower back area and had an immediate effect on him. Suspect Muro's body stiffened and he fell to the ground. The right side of Suspect Muro's body impacted the ground **[Pages 11 - 12 of Deputy Rodriguez' transcribed interview].**

When Suspect Muro's body landed on the ground, Deputy Rodriguez' Taser was still going through the initial activation cycle. When the five (5) second cycle ended, Deputy Rodriguez ordered Suspect Muro to roll onto his stomach. Suspect Muro complied and rolled onto his stomach and placed his hands out to his side. Both Taser darts where embedded in Suspect Muro's lower back. Deputy Rodriguez used his handheld portable radio and requested one unit assistance to his location. While he broadcasted his emergent radio traffic, he ordered Suspect Muro not to move. Deputy Rodriguez held his Taser in a ready position pending the arrival of additional deputies in the event Suspect Muro became assaultive again **[Page 13 of Deputy Rodriguez' transcribed interview].**

IAB Note: Deputy Rodriguez did not request the duplex patch when he broadcasted his assistance request. The duplex patch was activated during his radio transmission.

IAB Note: The “duplex patch” is a process where all radio channels are patched together, which changes the frequency from “simplex” to “duplex.” This allows deputies to communicate with each other directly without the aid of a dispatcher.

IAB Note: The audio of the emergent radio traffic and cold line recording are submitted with this casebook as **[Exhibit A]**. Refer to audio folders titled “Radio Traffic” and “Cold Line Recording.”

Deputy Christopher Barrios, East Los Angeles Station Unit 27K1, was the first unit to arrive at Deputy Rodriguez' assistance request. Deputy Barrios approached Suspect Muro like he would approach a suspect in a prone position. He approached from Suspect Muro's head, knelt down, placed both of Suspect Muro's hands behind his back and handcuffed him **[Pages 5 - 6 of Deputy Barrios' transcribed interview].** Deputy Rodriguez requested emergency medical personnel to treat Suspect Muro.

IAB Note: Deputy Barrios was assigned to work East Los Angeles Station EM shift, on July 11, 2019, in a burglary suppression unit. His unit identifier was 27K1 and his shift was from [redacted] hours. This was an overtime spot not listed on the East Los Angeles Station PM or EM shifts in-service. The East Los Angeles Station EM shift in-service for July 11, 2019 and Deputy Barrios' Deputy Daily Worksheet are attached to this case book **[Miscellaneous Documents]**.

Los Angeles County Fire personnel arrived and treated Suspect Muro. Suspect Muro was transported by ambulance to East Los Angeles Doctor's Hospital for treatment of his injuries. During his medical exam, hospital staff discovered Suspect Muro suffered a fractured right clavicle.

Deputy Rodriguez searched Suspect Muro's vehicle and found an off-white rock like substance resembling cocaine and a glass pipe in the center console of his vehicle **[Page 18 of Deputy Rodriguez' transcribed interview]. The rock like substance was later analyzes by Sheriff's Scientific Services Bureau personnel and was confirmed to be cocaine [Exhibit B]**. It was later discovered Suspect Muro had a no bail, felony arrest warrant for a [redacted] **[Exhibit C].**

Deputy Rodriguez reported his actions in the field to Sergeant Alvarado. All reports involving this incident, including actions and observations by each involved employee are submitted as **[Exhibit D]**.

INVOLVED EMPLOYEE AND WORK HISTORY

Michael V. Rodriguez, Deputy, #[redacted]
Central Patrol Division
East Los Angeles Station

Work History

Date of Employment:	June 18, 2015
Date Assigned to Unit:	December 17, 2017
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incidents:	[redacted]

Equipment Worn On Person

Duty Belt
Double magazine pouch carrier
Radio holder with a radio
Pepper spray (Oleoresin Capsicum)
Handcuffs
Firearm - Smith & Wesson, M&P, 9mm
Taser
Taser Holster
Tourniquet

SUSPECT INFORMATION

Paul Christopher Muro
Male, Hispanic, DOB: April 28, 1977, 6'01", 170 lbs
[redacted]
CII #[redacted] MAIN #[redacted] FBI #[redacted]

> **IAB Note:** A copy of Suspect Muro's criminal history is included in this casebook **[Miscellaneous Documents].**

SUSPECT'S INJURIES

Dr. Suni Dissanayake, the treating physician, described Suspect Muro's injuries as a shattered right clavicle, a bruise on the right side of his head, two abrasions on his right elbow, and a puncture wound from Taser darts. He had a puncture wound to the left side of his back and the second Taser dart embedded in Suspect Muro's t-shirt.

> **IAB Note:** A copy of Suspect Muro's medical records with a copy of his x-rays are included in this casebook **[Exhibit E].**

DEPUTY PERSONNEL INJURIES

Deputy Rodriguez felt immediate pain to his left shoulder when he was struck by Suspect Muro. This was not a persistent pain and subsided by the time this incident concluded. He did not seek medical treatment for his injury.

PHYSICAL EVIDENCE

No physical evidence related to the use of force was collected by Internal Affairs Bureau investigators. Deputy Rodriguez booked a CD containing photographs of the scene, **[Exhibit A].** Refer to folder "Rodriguez Photographs." The photographs were booked under file #919-09679-0245-145 at East Los Angeles Station.

INVESTIGATOR'S OBSERVATIONS

Internal Affairs Bureau investigators responded to the location of the occurrence.

> **IAB Note:** Photographs of the scene were taken by IAB investigators. A video of the scene was taken by East Los Angeles Station Sergeant Alvarado. Both are included in this casebook as **[Exhibit A]**. Refer to folders "Scene Photographs" and "Scene Video."

WEAPON USED BY DEPUTY PERSONNEL

Deputy Rodriguez used an X26 Taser.

> **IAB Note:** A check of the Taser download for Deputy Rodriguez' Taser, revealed one Taser activation on July 10, 2019 at; 22:17:26 hours, with a five second duration. A copy of the Taser download report is submitted under **[Exhibit F]**.

WEAPON USED BY SUSPECT MURO

Suspect Muro was not armed during this incident.

PROPERTY DAMAGE BY SUSPECT MURO

There was no property damaged during this incident.

CRIMINAL INVESTIGATION AND CHARGES FILED

Investigator: East Los Angeles Station Detective - Armando Hernandez Jr., #[redacted]

Court: East Los Angeles Courthouse - 4848 Civic Center Way, East Los Angeles, CA 90022

Charges: On July 12, 2019, the Los Angeles District Attorney's Office filed the following charges against Suspect Muro: one count of 243 (b) PC, Battery on a Peace Officer, and one count of 11364 HS, Possession of Drug Paraphernalia. The district attorney's filing sheet is attached to this case book **[Miscellaneous Documents]**.

Convictions: On August 26, 2019, Suspect Muro was convicted by jury of one count of 241(c) PC, Assault on a Peace Officer. He was sentenced to 210 days in the Los Angeles county jail. Refer to court Minute Order, Superior Court of California, County of Los Angeles **[Miscellaneous Documents]**.

LIGHTING AND WEATHER CONDITIONS

The incident occurred on a divided two lane street in a commercial/industrial area at night (2217 hrs.). There were street lights which provided dim illumination. The weather was cool and clear.

INVOLVED EMPLOYEE STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digital audio recorded interviews and verbatim transcriptions.

DEPUTY MICHAEL RODRIGUEZ

On December 11, 2019, at 1433 hours, IAB investigators interviewed Deputy Rodriguez at Internal Affairs Bureau. He was represented by Amy Johnson with law firm, Rains, Lucia, Stern. Deputy Rodriguez said he was working a PM overlap shift at East Los Angeles Station in unit 27T1. He was wearing a "Class A" uniform and was driving a marked patrol vehicle. On July 10, 2019, at approximately 2217 hours, he was patrolling an industrial area of the city of Commerce on Tanager Avenue. He frequently patrols this area because it is known for criminal activity. The area is known for lewd acts, narcotics activity, and abandoned stolen vehicles. He has personally made arrests and has recovered stolen vehicles in this area **[Pages 2 - 3 of Deputy Rodriguez' transcribed interview].**

Deputy Rodriguez saw Suspect Muro's vehicle parked, backed into the loading dock area of a business. Initially, he believed the vehicle was unoccupied. He approached the vehicle by walking on an elevated sidewalk adjacent to the ramp. He illuminated the interior of the vehicle with his flashlight and noticed the vehicle was occupied by Suspect Muro. Deputy Rodriguez approached Suspect Muro's vehicle and contacted him. He decided to detain Suspect Muro for lewd acts in public and a burglary investigation. He felt comfortable detaining Suspect Muro on his own due to the fact Suspect Muro was cooperating with his directions. Deputy Rodriguez placed both of Suspect Muro's hands behind his back. He had Suspect Muro interlace his fingers and he grabbed Suspect Muro's knuckles with his left hand, holding Suspect Muro's hands together. Deputy Rodriguez grabbed Suspect Muro's right wrist with his right hand and escorted Suspect Muro to his patrol vehicle **[Pages 3 - 9 of Deputy Rodriguez' transcribed interview].**

Deputy Rodriguez said as he walked Suspect Muro to his patrol vehicle, Suspect Muro freed his left arm from Deputy Rodriguez' grasp and struck him in his left shoulder with his left elbow. Suspect Muro attempted to strike him approximately two to three more times. As Suspect Muro assaulted him, he ordered Suspect Muro to stop fighting several times. He was not able to re-gain control of Suspect Muro's left arm and disengaged from Suspect Muro. After he disengaged with Suspect Muro, he fired his Taser at him. The Taser darts struck Suspect Muro in his lower back and Suspect Muro

fell to the ground. He broadcasted an assistance request once Suspect Muro was on the ground. Deputy Rodriguez said Deputy Barrios was the first unit to arrive in response to his assistant request. Deputy Barrios was able to handcuff Suspect Muro without incident **[Pages 10 - 13 of Deputy Rodriguez' transcribed interview].**

Deputy Rodriguez said Suspect Muro was compliant leading up to the use of force. Suspect Muro gave him no indication an assault was imminent. He typically does not utilize handcuffs during his investigative detentions. Each situation is unique and he makes a judgment call on whether to handcuff based on each suspect's demeanor. In this case, Suspect Muro never displayed any aggressive behavior toward him until the use of force occurred. If he detected Suspect Muro was aggressive he would have placed handcuffs on him right away. During the use of force, he decided against using OC spray due to the fact Suspect Muro had his back to him **[Pages 14 - 15 of Deputy Rodriguez' transcribed interview].**

EMPLOYEE WITNESS STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digital audio recorded interviews and verbatim transcriptions.

DEPUTY CHRISTOPHER BARRIOS

On December 16, 2019, at approximately 1356 hours, IAB investigators interviewed Deputy Barrios at Internal Affairs Bureau. Deputy Barrios elected to participate in an interview without representation. Deputy Barrios said he was working overtime on July 10, 2019, at East Los Angeles Station in a one person burglary suppression car in the city of Commerce. He responded to Tanager Avenue regarding a "back-up" request from Deputy Rodriguez. When he arrived he saw Suspect Muro lying face down on his stomach in the street. Deputy Rodriguez had his Taser in both hands. He noticed there were Taser darts in Suspect Muro's back and the wires from the Taser darts were attached to the Taser **[Pages 2 - 5 of Deputy Barrios' transcribed interview].**

Deputy Barrios said he approached Suspect Muro from his head area, knelt down and placed Suspect Muro's hands behind his back. Suspect Muro did not resist him when he placed Suspect Muro's hands behind his back. Once Suspect Muro's hands were behind his back, he handcuffed Suspect Muro **[Pages 5 - 6 of Deputy Barrios' transcribed interview].**

SUSPECT STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digital audio recorded interviews and verbatim transcriptions.

SUSPECT PAUL MURO

On July 11, 2019, at approximately 0348 hours, IAB investigators attempted to conduct a video recorded interview of Suspect Muro inside the East Los Angeles Station jail. Suspect Muro declined to make a statement regarding his contact with Deputy Rodriguez. IAB investigators noted redness to the right side of Suspect Muro's head and his right arm was in an arm sling. Suspect Muro declined to show IAB investigators where the Taser darts impacted him.

IAB Note: IAB investigators video recorded their attempted interview with Suspect Muro. The video was attached to the casebook under **[Exhibit A]**. Refer to "Suspect Interview." The video recording was also transcribed and included in this casebook.

ADDITIONAL INFORMATION

IAB investigators made additional attempts to interview Suspect Muro regarding the use of force. On November 19, 2019, IAB investigators telephoned Suspect Muro's residence and left a message with his mother requesting an interview. On January 14, 2020, IAB investigators sent a certified letter to Suspect Muro's residence requesting an interview. On January 22, 2020, IAB investigators received the Domestic Return Receipt from the United States Postal Service. The Domestic Return Receipt showed Suspect Muro received the certified letter requesting an interview on January 16, 2020. A copy of the Domestic Return Receipt is attached to this casebook **[Miscellaneous Documents].**

Deputy Rodriguez listed the date of occurrence on his report as "06-10-19." During his interview, Deputy Rodriguez said it was a typo and he meant to write the date of occurrence as July 10, 2019.

REVIEW OF EMERGENT RADIO TRAFFIC

Internal Affairs Bureau investigators reviewed the audio recording of the radio traffic communicated by East Los Angeles Station personnel. The initial emergent radio traffic was initiated by Deputy Rodriguez.

The following is a chronological timeline of the radio traffic:

- 22:17 27T1 requested one unit assistance
- 22:17 27T1 confirmed street name Tanager
- 22:18 27H responding code-3 in one
- 22:18 27T1 reason for assistance, detaining one
- 22:18 20BS responding code-3
- 22:19 24B responding code-3
- 22:19 Air 21 responding in 5 from Compton area
- 22:19 28T responding code-3
- 22:19 26A responding code-3
- 22:19 20BS is he detaining at gunpoint
- 22:20 27T1 detaining suspect at Taser point

- 22:20 20S requested the duplex patch open
- 22:20 27T1 suspect proned out waiting on units, no outstanding suspects
- 22:20 27H less than one out
- 22:21 20BS one out
- 22:21 27K1 arrived on scene
- 22:21 24B arrived on scene
- 22:21 20S 5 minutes out
- 22:21 Fire notified by ELA desk
- 22:21 24B code-4, sufficient units, detaining one
- 22:21 SCC cancel code-3 responses
- 22:21 28T canceled code-3 response
- 22:22 24B clear for fire to respond to scene
- 22:22 SCC duplex patch cleared
- 22:22 20BS arrived on scene
- 22:22 Air 21 canceled response